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9 UNITED STATES OF AMERICA

10 UNITED STATES DISTRICT COURT

11 FOR THE CENTRAL DISTRICT OF CALIFORNIA

12 UNITED STATES OF AMERICA,

13 Plaintiff,

14 v.

15 DAEKUN CHO,
aka "DK,"

16 Defendant.
17

No. CR 23-00149-FMO

ORDER CONTINUING TRIAL DATE AND
FINDINGS REGARDING EXCLUDABLE TIME
PERIODS PURSUANT TO SPEEDY TRIAL
ACT

TRIAL DATE: 10-17-23

18 The Court has read and considered the Stipulation Regarding
19 Request for (1) Continuance of Trial Date and (2) Findings of
20 Excludable Time Periods Pursuant to Speedy Trial Act, filed by the
21 parties in this matter on May 2, 2023. The Court hereby finds that
22 the Stipulation, which this Court incorporates by reference into this
23 Order, demonstrates facts that support a continuance of the trial
24 date in this matter, and provides good cause for a finding of
25 excludable time pursuant to the Speedy Trial Act, 18 U.S.C. § 3161.

26 The Court further finds that: (i) the ends of justice served by
27 the continuance outweigh the best interest of the public and
28 defendant in a speedy trial; (ii) failure to grant the continuance

1 would be likely to make a continuation of the proceeding impossible,
2 or result in a miscarriage of justice; and (iii) failure to grant the
3 continuance would unreasonably deny defendant continuity of counsel
4 and would deny defense counsel the reasonable time necessary for
5 effective preparation, taking into account the exercise of due
6 diligence.

7 THEREFORE, FOR GOOD CAUSE SHOWN:

8 1. The trial in this matter is continued from May 23, 2023, to
9 October 17, 2023 at 9:00 a.m. The pretrial conference hearing is
10 continued to October 6, 2023 at 2:00 p.m.

11 2. The time period of May 23, 2023, to October 17, 2023,
12 inclusive, is excluded in computing the time within which the trial
13 must commence, pursuant to 18 U.S.C. §§ 3161(h)(7)(A), (h)(7)(B)(i),
14 and (B)(iv).

15 3. Nothing in this Order shall preclude a finding that other
16 provisions of the Speedy Trial Act dictate that additional time
17 periods are excluded from the period within which trial must
18 commence. Moreover, the same provisions and/or other provisions of
19 the Speedy Trial Act may in the future authorize the exclusion of
20 additional time periods from the period within which trial must
21 commence.

22 IT IS SO ORDERED.

23
24 May 2, 2023
25 DATE

24 /s/
25 HONORABLE FERNANDO M. OLGUIN
26 UNITED STATES DISTRICT JUDGE
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28